

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

TYLER MILLER,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 1:20-cv-04849
)	
BRIGHTSTAR ASIA, LTD.,)	District Judge George B. Daniels
)	Magistrate Judge James L. Cott
Defendant.)	

**DECLARATION OF FRANKIE N. SPERO IN SUPPORT OF DEFENDANT'S SECOND
MOTION TO DISMISS THE FIRST AMENDED COMPLAINT
PURSUANT TO FED. R. CIV. P. 12(b)(6)**

I, Frankie N. Spero, under penalty of perjury pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a partner with Bradley Arant Boult Cummings LLP, counsel for defendant Likewise Hong Kong Limited f/k/a Brightstar Asia, Ltd. ("Brightstar Asia"), in the above-captioned matter. I submit this declaration on behalf of Brightstar Asia in support of its Second Motion to Dismiss the First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6).

2. Attached hereto as **Exhibit A** is a true and correct copy of the Amended and Restated Master Services Agreement entered into between Brightstar Corp. and Harvester Technologies Inc., dated April 9, 2018. Attached hereto as **Exhibit B** is a true and correct copy of the Statement of Work #1 entered into between Brightstar Corp. and Harvester Technologies, Inc. dated on or about April 9, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 23, 2022



Frankie N. Spero